

# **EXHIBIT 4**

1 A P P E A R A N C E S:

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3 FISHER, BYRIALSEN & KREIZER, PLLC  
Attorneys for Plaintiffs  
4 291 Broadway, Suite 709  
New York, New York 10007  
5 BY: JANE FISHER-BYRIALSEN, ESQ.  
-and-  
6 ALISSA M. BOSHACK, ESQ.

7

8 BELDOCK LEVINE & HOFFMAN, LLP  
Attorneys for Plaintiffs  
9 99 Park Avenue, Suite 1600  
New York, New York 10016  
10 BY: KAREN DIPPOLD, ESQ.  
-and-  
11 MYRON BELDOCK, ESQ.

12

13

14 MICHAEL A. CARDOZO, ESQ.  
CORPORATION COUNSEL  
15 NEW YORK CITY LAW DEPARTMENT  
Attorney for Defendant  
16 100 Church Street  
New York, New York 10007  
17 BY: ELIZABETH DAITZ, ESQ.  
-and-  
18 GENEVIEVE NELSON, ESQ.  
-and-  
19 WILLIAM OATES, ESQ.  
-and-  
20 MATTHEW McQUEEN, ESQ.  
File #: [REDACTED]  
21 Control #: [REDACTED]

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1 A. Yes.

2 Q. And which cousin was that?

3 A. Ramsey.

4 Q. And then Sheehan was the one that hit you?

5 A. Yes.

6 Q. Did you ever tell anyone that Detective Sheehan  
7 hit you when you were arrested?

8 A. Yeah, I told them that.

9 Q. Who did you tell?

10 A. I told the police that when I got to the station.  
11 They told me to shut the fuck up and just sit there.

12 Q. Did you ever tell your attorneys that?

13 A. Yes, I did.

14 Q. And did you tell the DA that?

15 A. Yes, I did. I told Fairstein that, but, of  
16 course, he was in the room.

17 Q. Who is he?

18 A. Sheehan and all of them. They were in the room  
19 when Fairstein was in there talking with me. He was in the  
20 room and I told her I don't feel comfortable with this man,  
21 that's the man that just beat me up. And she said, well,  
22 he's not going to bother you. Yeah, but I don't feel  
23 comfortable with him here and the other cop, also. They  
24 were there in the room. It was like six detectives and me  
25 in there and then they let my mother in.

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1 know, I don't know.

2 Q. So when you walked into the second room, you were  
3 with Detective Nugent and you said there was a blonde woman  
4 and four to five other detectives in that room?

5 A. Well, with Nugent it would make about four  
6 detectives and a woman.

7 Q. And what happened in that room?

8 A. They were squished up against the wall, so they  
9 were all around her, you know. She didn't have much space  
10 to move other than sit at the desk and do what she had to  
11 do.

12 Q. Do you remember what she was wearing?

13 A. No.

14 Q. And what happened in that room? Did anybody  
15 introduce themselves to you?

16 A. Yes, she said, I'm Linda Fairstein. I'm the DA,  
17 the assistant DA handling this case right now, and I wanted  
18 to go over some things with you.

19 Q. And did she?

20 A. Yes, she started proceeding to try to talk to me  
21 and I told her, you know, that I wasn't read my rights, and  
22 that, you know, I don't want to answer any questions.

23 She said, well, this is not questions right now,  
24 I'm just trying to find out what happened that night. And  
25 basically just trying to find ways around how to just talk

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1 to me, and I was too scared to talk at that moment because  
2 I didn't know what was this all about. I was still  
3 thinking about my mother in the other room. I was still  
4 thinking about the fact that she just went upside my head  
5 and she's flipping.

6 And then they spoke to her already without me  
7 even being there. How are you going to pull my mother to  
8 the side and not tell me what's going on?

9 Q. When you said that you told her that you weren't  
10 read your rights, how did you know what that was?

11 A. All my family's in law enforcement. I know what  
12 rights are. I mean, you don't have to watch TV to figured  
13 that out. I mean, my mother's going to school me. She  
14 deals with inmates all day. She ain't just going to let  
15 her son just sit there and be victim and fall prey to this.  
16 She already let me know, you know, they got to read your  
17 rights. Those things I just knew.

18 Q. So your family from being in law enforcement --

19 A. Yes.

20 Q. -- taught you --

21 A. Yes.

22 Q. -- what to --

23 A. Yes.

24 Q. -- expect in that situation? Okay.

25 So, you said you didn't answer any of Linda

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1 Fairstein's questions?

2 A. Not at that time, no.

3 Q. And did anything else happen in that room?

4 A. They kind of got bothered and stuff like that,  
5 and she proceeded to say that, you know, these are -- she  
6 had pictures on the desk and she sprawled them across the  
7 desk. She flung them and she's like, I want you to look at  
8 that. I want you to think about that while you think about  
9 not talking to us.

10 I couldn't even tell what that picture was. So,  
11 when she threw it on the desk, I just looked at it and I  
12 didn't know what that was. I couldn't make out what was in  
13 the picture. It just looked like a bloody head. You  
14 couldn't see the face. And pictures of other stuff that  
15 was against that picture and, you know, they escorted me  
16 out the room and then they went into the room and spoke to  
17 my mother and talked to my mother to tell her, look, we  
18 need to talk to him so he can help himself.

19 Q. Were you in the room when they were having this  
20 conversation, the detectives and your mother?

21 A. I could hear it. I was sitting outside the door.  
22 They kept trying to talk to her to convince her, look, we  
23 got to talk him. You know, eventually, she got up out the  
24 chair and she said, listen, you want to talk about what  
25 happened? I said, how am I going to talk about what

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1 talking about, mom. And she said, well, it looks like they  
2 getting ready to tell you something in a minute so you just  
3 sit back and listen. So I said okay.

4 Fairstein sat down and she said, okay, this is  
5 what we have. And I think it was a male detective, the one  
6 Nugent. He said, okay, well, we have something that we're  
7 going to go on and we want to speak about this male guy,  
8 the guy in the camouflage.

9 Q. Is this in the first room or the second room?

10 A. This is in the second room.

11 Q. And so, there came a time when ADA Fairstein was  
12 in that room, as well?

13 A. She been in there. She was in there the whole  
14 time during the questioning. She was in there. And then  
15 after they whispered in her ear was when she had got up and  
16 then she had left out. And the detective stood in there,  
17 and I think three of them stayed in there and one of them  
18 walked out and they were talking right outside the door.

19 Me and my mother stood right here. She's sitting  
20 here. I was in the main part of the center of the room.  
21 She was to the right of me. And that's when the guy,  
22 Nugent and another guy that was sitting there with him, and  
23 Sheehan was in the room also. And that's when they was  
24 telling me that, well, we have information. Tell us about  
25 this guy in the camouflage and what happened with him. I

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1 pipe. I can't say that I seen these guys come back with  
2 blood on them. How do you want me to say this?

3 You know, he's going to fuck everything up. He's  
4 going to mess up everything. You need to talk to your  
5 client, you need to let him know what I'm asking him to do  
6 here, otherwise your ass is going to jail.

7 I was always being told that. I got tired of  
8 that. I mean, Jesus, if I go to Rikers or if I go to  
9 Spofford, it doesn't matter. My family works in the jail.  
10 I'm not worried about what's going to happen to me. I can  
11 pretty much hold my own. I think I've done that already.  
12 So it didn't bother me with the threats and stuff like  
13 that. It's just, ma'am, I can't lie like that, I can't do  
14 that. You know, well, how the F is he going to help us?

15 And, you know, she gets up and she goes [REDACTED]  
16 [REDACTED] and I'll just sit in the office and sit there.  
17 And she would come back in and she'd be reserved and then  
18 she'll sit down and she'll fix her little suit and then  
19 she'd start all over again. This is what you need to do.  
20 And then she'll talk to my lawyer and then he comes in and,  
21 like I said, once the rubber met the road, they never  
22 called me to testify at anything, even though I was  
23 supposed to be some star witness is what the Post said. I  
24 was never no star witness.

25 Q. How did she react when you told her that the



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1 police beat you up?

2 A. She said she didn't give a shit.

3 Q. Did she ever confront the police officers, as far  
4 as you know?

5 MS. DAITZ: Objection.

6 A. I told her who the police officers were.

7 Q. Did you ever see any of those police officers in  
8 her office?

9 A. I think once that I was -- one time that I was  
10 there, I was sitting in a waiting area outside of her  
11 office on that floor, it was real busy in that area, a lot  
12 of people were walking around. There were detectives  
13 coming in and out and I remember two of the detectives that  
14 were involved with me, they came out of her office. They  
15 walked past me, they seen me sitting there. They looked at  
16 me, I just looked them, and they kept going where they were  
17 going.

18 Q. Was Linda Fairstein ever present at any of your  
19 meetings with ADA Lederer?

20 A. No, no, I didn't see her.

21 Q. You said Fairstein was present at the precinct  
22 when you first were arrested, correct?

23 MS. DAITZ: Objection to form.

24 A. Yes, she was.

25 Q. And she was in the interview room with you next

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1 to the room that had the bunkbeds?

2 A. Yes, she was.

3 Q. And you said she had a pad of paper with her?

4 A. Yes.

5 Q. Did you see her write anything on it?

6 A. Yes.

7 Q. Did **Linda Fairstein** on the night in the precinct  
8 tell you that you were involved in the rape?

9 A. Rephrase that.

10 Q. When you were with **Linda Fairstein** in that room  
11 on April 21st, did she tell you that she thought you were  
12 involved in the rape?

13 A. Not that she thought. She said she knew.

14 Q. What did she say exactly?

15 A. That you raped this woman. That you and these  
16 other individuals held this woman down and you beat her up  
17 and you held her legs open while you and your friends  
18 continued to rape this woman.

19 The way she was going at it was because she said  
20 I got evidence, I got people telling me that you did this.  
21 And I'm going for a rape charge on your ass and you're  
22 going to do a whole shitload of time in jail. And I'm just  
23 sitting there looking at her like this. And I never seen a  
24 woman get raped. How far we going to go with this?

25 Q. What did she do when you denied it?

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1           A.       She didn't do anything. She didn't get irate  
2       like Lederer. Her and Lederer is two different animals --  
3       two different beasts when they doing their job. She didn't  
4       get irate. She just flung the paper in my face. And then  
5       I asked can I read it, and then she pulled it back. She  
6       didn't want me to read it. And I told her, I said I guess  
7       it was bullshit, you know. I mean, what you have in your  
8       hands is not accurate on what you're telling me out of your  
9       mouth.

10                   And she would get up and leave out the room, and  
11       then the other two detectives was sitting there and nobody  
12       never asked me if I wanted a drink of water. I thank you  
13       for this. Nobody asked me for anything, you know, did I  
14       need anything.

15           Q.       Did Linda Fairstein go with you to the park when  
16       you went with ADA Lederer?

17           A.       I didn't see her. I didn't see her. I saw  
18       Lederer.

19           Q.       Did you ever see Kharey Wise beat anybody up in  
20       the park?

21           A.       No.

22           Q.       Did you ever see him hit anyone?

23           A.       No.

24           Q.       Kick anyone?

25           A.       No.

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1 Q. Did you ever see him rape anyone?

2 A. No.

3 Q. When was the last time you saw Kharey?

4 A. When we were leaving out the park.

5 Q. You testified that at some point the group began  
6 to run because there was police, you noticed police were  
7 coming, right?

8 A. Yes.

9 Q. And the group split up in two?

10 A. Yes.

11 Q. Which group was Kharey in, do you know?

12 A. My group.

13 Q. In your group.

14 A. You need to note that he stood out because his  
15 hair looked like Woody Woodpecker. Just a flattop with a  
16 different color.

17 Q. And you stated that when saw John Loughlin, he  
18 was not wearing a Walkman?

19 A. I didn't see no Walkman on this individual.

20 Q. Did you see any type of music device on him?

21 A. No.

22 MS. FISHER-BYRIALSEN: Can I just have  
23 Exhibit B.

24 Q. I'm going to show you what's been marked as  
25 Jermaine Robinson Exhibit D. And we're turning to page